

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division

In re: ) Chapter 13  
 )  
JEFFREY SCOTT MALLINGER ) Case No. 07-30146-KRH  
MARY CRISTEAN MALLINGER, )  
Debtors)

**APPLICATION TO EMPLOY WADE AND WADE, P.L.C.  
AS SPECIAL COUNSEL FOR THE DEBTOR(S) AND NOTICE THEREOF**

**PLEASE TAKE NOTICE** that, pursuant to 11 U.S.C. § 327 and Rule 2014 of the Federal Rules of Bankruptcy Procedure, the debtor(s) (the "Debtor(s)") hereby request(s) that this Court enter an order approving their Application to Employ Wade and Wade, P.L.C. as Special Counsel for the Debtor(s) (the "Application") and authorizing the employment of Suzanne E. Wade and the firm of Wade and Wade, P.L.C. as its counsel in this matter. **Any objection to the proposed employment of counsel prayed for herein shall be in writing and shall be filed with the Clerk of the Court, 1100 East Main Street, Third Floor, Richmond, Virginia 23219 on or before September 10, 2007, with a copy served on the following:**

**Suzanne E. Wade, Esquire  
Wade and Wade, P.L.C.  
2104 West Laburnum Avenue, Suite 201A  
Richmond, VA 23227**

In support of this Application, the Debtor(s) state(s) as follows:

Suzanne E. Wade (VSB #31868)  
WADE AND WADE, P.L.C.  
2104 West Laburnum Avenue, Suite 201A  
Richmond, VA 23227  
Phone: (804) 864-8617  
Fax: (804) 545-8926

1. On January 16, 2007, the Debtor(s) filed a voluntary petition for relief under Chapter 13 of Title 11 of the United States Code (the "Bankruptcy Code") in the United States Bankruptcy Court for the Eastern District of Virginia, Richmond Division (the "Court"), Bankruptcy Case No. 07-30146-KRH (the "Bankruptcy Case").

2. On March 6, 2007, this Court confirmed the Debtor(s)' Chapter 13 Plan (the "Plan").

3. The Debtor(s) desire(s) to employ Suzanne E. Wade and the firm of Wade and Wade, P.L.C. (Wade and Wade) as its special legal counsel to represent it in their motion to sell. The Debtor(s) seek(s) the services of Wade and Wade in this matter because of that firm's expertise in real estate related matters, which will enable the firm to perform services of benefit to the Debtor(s).

4. Specifically, the Debtor(s) is/are employing Wade and Wade 1) to file all necessary paperwork related to debtor(s)' sale and 2) to provide assistance as necessary in completing the sale.

5. The services for which the firm is to be engaged will be for the best interests of the Debtor(s), their estate, and the Debtor(s)' creditors. The Debtor(s) propose(s) that Wade and Wade be compensated at its regular hourly rates and that the firm be reimbursed for its expenses incurred. As of the date hereof, the services of Ms. Wade are billed by the firm at the rate of \$250.00 per hour.

6. Any compensation to Wade and Wade for services rendered and expenses incurred shall be paid by the closing agent in an amount not to exceed \$700.00 without further order of this Court. Should the sale fail, Wade and Wade may file a proof of claim for

their fees and costs to be paid as an administrative priority expense. Requested fees and/or costs related to this transaction that exceed \$700.00 will be taken only after proper application and court approval pursuant to 11 U.S.C. §§ 330 and 331 and Local Bankruptcy Rule 2016-1. The firm has not shared or agreed to share its compensation for services performed on the debtor(s)' behalf with any other person or entity.

7. As set forth in the verified statement attached hereto as Exhibit A, Wade and Wade represents no other entity in connection with this case, is a "disinterested person" as that term is defined in 11 U.S.C. § 101(14), and represents or holds no interest adverse to the Debtor(s)' estate with respect to the matters for which Wade and Wade is to be employed. Wade and Wade has or may have previously represented, and may from time to time represent, one or more of the creditors of the Debtor(s) with respect to matters unrelated to this case.

8. The Debtor(s) believe(s) that the retention of Suzanne E. Wade and Wade and Wade, P.L.C. as its special counsel in this case is in the best interest of the Debtor(s), the Debtor(s)' estate, and the Debtor(s)' creditors.

9. Attached hereto as Exhibit B is the proposed order authorizing the employment by the Debtor(s) of Wade and Wade, P.L.C.

WHEREFORE, the Debtor(s) request(s) the entry of an order approving this Application and authorizing them to employ Suzanne E. Wade and the firm of Wade and Wade, P.L.C. as special counsel to the Debtor(s) in this case effective as of August 10, 2007, and granting such other and further relief as is deemed just and proper.

Date: August 21, 2007.

JEFFREY SCOTT MALLINGER  
MARY CRISTEAN MALLINGER

By: /s/ Suzanne E. Wade  
Suzanne E. Wade, Proposed Special Counsel

Suzanne E. Wade (VSB #31868)  
WADE AND WADE, P.L.C.  
2104 West Laburnum Avenue, Suite 201A  
Richmond, VA 23227  
Phone: (804) 864-8617  
Fax: (804) 545-8926

**CERTIFICATE OF SERVICE**

I hereby certify that on the 21st day of August, 2007, a true copy of the foregoing Application to Employ Wade and Wade, P.L.C. as Special Counsel for the Debtor(s) together with the exhibits thereto was transmitted by electronic means or mailed to the parties on the attached service list:

/s/ Suzanne E. Wade  
Suzanne E. Wade

**SERVICE LIST**

UST smg Richmond Office of the U. S. Trustee  
600 East Main Street, Suite 301 Richmond, VA 23219

Wells Fargo  
P O Box 829009 Dallas, Tx 75382

Alpha Appraisers  
Hughesville, MD 20637-0000

Atlantic Shore Mortgage  
9620 Deereco Road Lutherville Timonium, MD 21093-0000

BB&T  
PO Box 1847 Wilson, NC 27894

BB&T Bankruptcy Section  
PO Box 1847 Wilson, NC 27894

County of Henrico Delinquent Tax Dept  
P.O. Box 27032 Richmond, VA 23273-0000

Focused Recovery Solutions  
9701 Metropolitan Ct, Suite B Richmond, VA 23236-3662

Gilliam & Evans West End Orthopedic Clinic  
7821 Ironbridge Road Richmond, VA 23237-2240

Gilliam & Evans, PLC  
7821 Ironbridge Road Richmond, VA 23237-0000

HHC Poplar Spring Hospital  
350 Poplar Street Petersburg, VA 23803-0000

Henrico Doctor's Hosp. Attn: Bankruptcy Dept  
1602 Skipwith Road Richmond, VA 23229-0000

Henrico Doctors Hospital  
1804 Washington Blvd Baltimore, MD 21230

Henrico Family Physicians Attn: Bankruptcy Dept.  
2305 N. Parham Road Richmond, VA 23229-0000

Nissan Motor Acceptance Corporation  
P.O. Box 660366 Dallas, TX 75266

Office of the US Trustee  
600 East Main Street Suite 301 Richmond, VA 23219-0000

Patterson Family Practice  
10431 Patterson Ave. Attn: Bankruptcy Richmond, VA 23223-0000

Solodar & Solodar  
1504 Allecingie Parkway Richmond, VA 23235-0000

VEC Re: Bankruptcy  
703 E Main St Richmond, VA 23219-0000

Wells Fargo Attn: Bankruptcy Dept.  
P.O. Box 5445 Portland, OR 97228-5445

Wells Fargo  
One Home Campus BK PMT PROC MAC #X2302-04C Des Moines, Iowa 50328

Wells Fargo  
P.O. Box 829009 Dallas, Texas 75382

West End Orthopaedic Re: Bankruptcy  
P. O. Box 35725 Richmond, VA 23235-0725

Jeffrey Scott Mallinger  
1121 Maryland Ave. Glen Allen, VA 23060

Mary Cristean Mallinger  
1121 Maryland Ave. Glen Allen, VA 23060

Robert E. Hyman  
P.O. Box 1780 Richmond, VA 23218-1780

**Tyler B. Jones** Brice, Vander Linden & Wernick  
9441 LBJ Freeway, Suite 250 Dallas, TX 75243

**Eric David White** Samuel I. White, P.C.  
1804 Staples Mill Road, Suite 200 Richmond, VA 23230

This document was created with Win2PDF available at <http://www.daneprairie.com>.  
The unregistered version of Win2PDF is for evaluation or non-commercial use only.